

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0655

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WAYNE PERCY LINDSEY,

Defendant and Appellant.

FILED

AUG 17 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until September 22, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on August 23, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 17th day of August, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: 

MICHEAL S. WELLENSTEIN
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to be mailed, first class postage paid, to:

Mr. William Fulbright
Deputy Ravalli County Attorney
205 Bedford Street, Suite C
Hamilton, MT 59840

Ms. Lisa S. Korchinski
Assistant Appellate Defender
(Hand-delivered into the wire basket located in the
reception area in the Attorney General's Office,
215 North Sanders, Helena, MT 59620.)

DATED: August 17, 2010 Michael Weller